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Attorneys for Defendant, TD Bank, N.A.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ECC ENTERPRISE LIMITED,

Plaintiff,

v.

TD BANK, N.A.

Defendant.

Civil Action No. 1:23-CV-03760-KMW-AMD

**NOTICE OF DEFENDANT TD BANK,
N.A.'S MOTION TO DISMISS
PLAINTIFF'S COMPLAINT PURSUANT
TO FEDERAL RULE OF CIVIL
PROCEDURE 12(b)(6)**

Motion Date: September 5, 2023

TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE, that on September 5, 2023, or on a date to be set by this Court, Defendant TD Bank, N.A. will move before the Honorable Karen M. Williams, U.S.D.J., at the Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets Camden, NJ 08101, to dismiss Plaintiff ECC Enterprise Limited's Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6).

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendant will rely upon this Notice of Motion, the accompanying Memorandum in support thereof, Certification of Jennifer A. Harris attaching unpublished opinions, and such other authorities and arguments as may be submitted in any reply or at any hearing. A proposed form of Order is also attached.

PLEASE TAKE FURTHER NOTICE that oral argument is not requested unless opposition is timely filed.

Respectfully Submitted,

BROWN & CONNERY, LLP
Attorneys for Defendant

Dated: August 3, 2023

/s/ Jennifer A. Harris
Jennifer A. Harris